

REMARKS

Telephone conferences between Examiners Christopher Kelley and Sahar Baig and Dennis Smid (one of the applicants' undersigned attorneys) were held on October 25, 2007. The applicants and Mr. Smid wish to thank the Examiners for their time and consideration for such conferences.

A final Office Action issued in the present application on May 25, 2007. The following comments are presented in response thereto. Further, and as discussed during the October 25 conferences, a Request for Continued Examination (RCE) accompanies this amendment.

Claims 2, 4-6, 8-11, and 13-17, and amended claims 1, 7, and 12 are in this application.

Claims 1, 2, and 4-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Golschmidt Iki et al. (U.S. Patent No. 6,594,825), in view of Chernock et al. (U.S. Patent No. 6,314,569), in further view of Lownes et al. (U.S. Patent No. 6,137,539).

Amended independent claim 1 recites in part the following:

"an audio and/or video signal transmitting apparatus including analog audio and/or video signal generating means for generating an analog audio and/or video signal, digital audio and/or video signal generating means for generating a digital audio and/or video signal, analog output means for outputting said analog audio and/or video signal, information generating means for generating a digital information signal containing information identifying a type of said transmitting apparatus and indicating a format type of said analog audio and/or video signal

or said digital audio and/or video signal, a multiplexing circuit for multiplexing the digital information signal and the digital audio and/or video signal and producing a multiplexed digital signal, and a digital input/output means for inputting/outputting said multiplexed digital signal, and

. . . .
means for superimposing the image signal on the display video signal, so that when displayed the predetermined characters or logo are superimposed on a displayed image such that a user can view the type of the audio and/or video signal transmitting apparatus and the format type pertaining to the display video signal currently being displayed at the time the display video signal is displayed."
(Emphasis added.)

It is respectfully requested that the above 103 rejection of claim 1 be withdrawn for at least the following reasons.

First, in explaining the above 103 rejection of claim 1, the Examiner acknowledges that Goldschmidt Iki does not disclose the multiplexing circuit of claim 1. (See, for example, lines 1-4 of page 4 of present Office Action.) However, the Examiner appears to assert that it would have been obvious to provide such multiplexing circuit in view of Chernock and in particular lines 41-55 of column 4 thereof. It is respectfully submitted that such portion of Chernock does not disclose the multiplexing which may be performed by the multiplexing circuit of claim 1. That is, the portion of Chernock relied on by the Examiner appears to disclose multiplexing "audio and video elementary streams . . . together." (See, for example, lines 41-43 of column 4 of Chernock.)

Accordingly, even combining Goldschmidt Iki and Chernock in the manner proposed by the Examiner would not

produce the multiplexing circuit of claim 1. That is, the multiplexing circuit of claim 1 may multiplex "the digital information signal and the digital audio and/or video signal." On the other hand, the applied combination of Goldschmidt Iki and Chernock would produce a multiplexing circuit which merely would multiplex audio and video signals together.

Second, it is also respectfully submitted that the applied combination of references does not appear to disclose "means for superimposing the image signal on the display video signal, so that when displayed the predetermined characters or logo are superimposed on a displayed image such that a user can view the type of the audio and/or video signal transmitting apparatus . . . pertaining to the display video signal currently being displayed at the time the display video signal is displayed," as recited in claim 1. That is, in explaining the above 103 rejection with regard to claim 1, the Examiner appears to assert that Goldschmidt Iki discloses such portion of the present means for superimposing. However, it is respectfully submitted that such portion of Goldschmidt Iki does not appear to disclose the superimposing which may be performed by the present means for superimposing. That is, the present superimposing means may enable the "type of the audio and/or video signal transmitting apparatus" to be viewed by a user along with a displayed video signal. Although the portion of Goldschmidt Iki relied on by the Examiner mentions "overlaying the current video display with the options" (see lines 4-5 of column 7 of Goldschmidt Iki), such options or overlaying appears to pertain to "alternate versions" of a program. (See lines 35-53 of column 6 of Goldschmidt Iki.) The portion of Goldschmidt Iki relied on by the Examiner does not appear to disclose providing a superimposing operation in which "type of the audio and/or video signal transmitting apparatus" may be viewed by a user along with a displayed video signal.

Accordingly, even applying Goldschmidt Iki in the manner proposed by the Examiner would not produce the means for superimposing specifically recited in claim 1.

Therefore, for at least the reasons discussed above, it is respectfully submitted that independent claim 1 is distinguishable from the applied combination of Goldschmidt, Chernock, and Lownes.

For reasons similar to those or partial similar to previously described with regard to independent claim 1, it is also respectfully submitted that independent claims 7 and 12 are also distinguishable from the applied combination of Goldschmidt, Chernock, and Lownes.

Claims 2, 4-6, 8-11, and 13-17 are dependent from one of independent claims 1, 7, and 12. Accordingly, it is also respectfully submitted that that claims 2, 4-6, 8-11, and 13-17 are also distinguishable from the applied combination of Goldschmidt, Chernock, and Lownes for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections and/or rejections which the Examiner might have.

If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: October 25, 2007

Respectfully submitted,

By 

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